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Attorneys for Defendant City of Kalispell

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

FLATHEAD WARMING CENTER, Plaintiff, v. CITY OF KALISPELL, Defendant.	Case No: 9:24-cv-00141-KLD CITY OF KALISPELL’S NOTICE RE: NO OBJECTION
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COMES NOW the City of Kalispell, through counsel of record, and submits the following response to the Court’s October 21, 2024 Order.

The City does not object to the Court proceeding with the October 25, 2024 hearing as being a preliminary injunction hearing provided the basis for requested preliminary injunction is the three claims that the Plaintiff briefed in its Motion for Temporary Restraining Order: equal protection, substantive due process, and

procedural due process. Plaintiff agrees with this approach. As such, the City has no objection.

Dated this 24th day of October, 2024.

HAMMER, QUINN & SHAW PLLC

/s/ Marcel A. Quinn

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